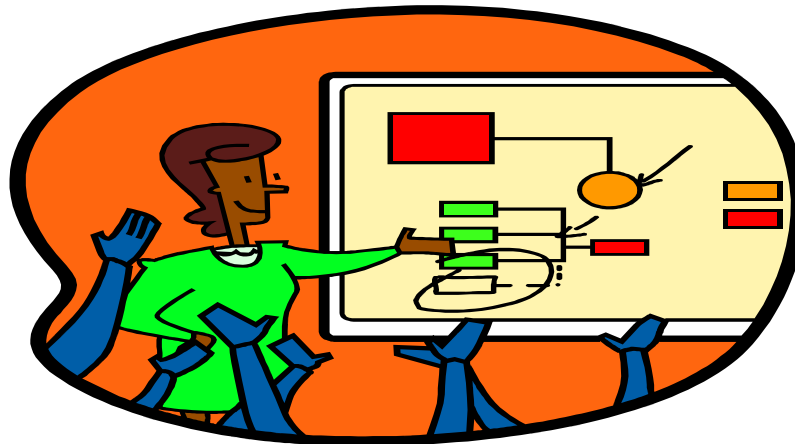


## ADMINISTRATIVE ORDER PROCESS



## SDWP/ENFORCEMENT STAFF

- McDonald Volentine, Jr.
- Stacy Williams
- Carol Redditt-Frank [provided by contract through the Louisiana Compliance Initiative (LCI)]

## STAFF CONT.

- LCI CIRCUIT RIDER
- PENN LEMOINE
- DOUG SMITH
  
- THE LCI CONTRACT ALSO PROVIDES ANOTHER CLERICAL POSITION FOR OPERATOR CERTIFICATION UNIT

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## Introduction

- Whenever a person opens a drinking water tap in Louisiana – that moment represents the most intimate connection between public trust and the public water system owners/operators' duty as well as the office of public health's and the Louisiana rural water association's duty to protect the public health

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- Congress unanimously enacted the safe drinking water act (SDWA) amendments of 1986 to safeguard this trust and ensure uniformly safe drinking water quality.



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To achieve the high drinking water quality that the SDWA demands, EPA is required to promulgate regulatory packages to control contaminants, which include:

**Volatile organic chemicals (VOCs)**

eg.; vinyl chloride, benzene

**Pesticides and Herbicides**

eg.; chlordane (gardens), atrazine (corn, soybeans), run off – crops, golf courses

**Microbiological organisms**

eg.; coliforms, cryptosporidium, giardia lamblia

**Inorganic chemicals**

eg.; cadmium, metals, asbestos, nitrite

**Radionuclides**

eg.; radon gas (accumulates under home and in wells)

**Disinfection by-products**

eg.; haloacetic acids, trihalomethanes, bromate, chlorite (DDBP)

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## Primacy

- An essential mechanism for achieving the SDWP's goals are State Primacy Agreements, which allow EPA to delegate SDWA enforcement authority to the states.
- The OPH received primacy for the SDWA in May 1977.

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Through This Primacy Agreement, OPH Carries Out the Congressional Mandate by Implementing and Enforcing Federal and State Laws Related to Drinking Water. In Addition, Primacy Allows Us to Perform Numerous Services That Promote Compliance and Enhance the SDWA Mission.



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## Among the Vital Services That the OPH Staff Provide Are: Sanitary Surveys



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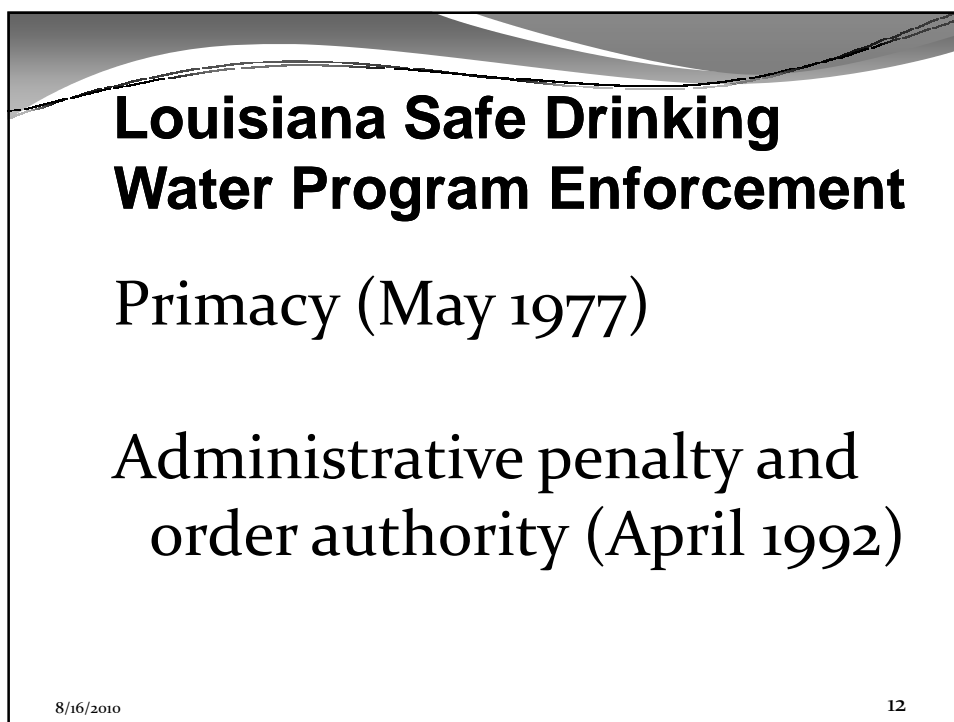
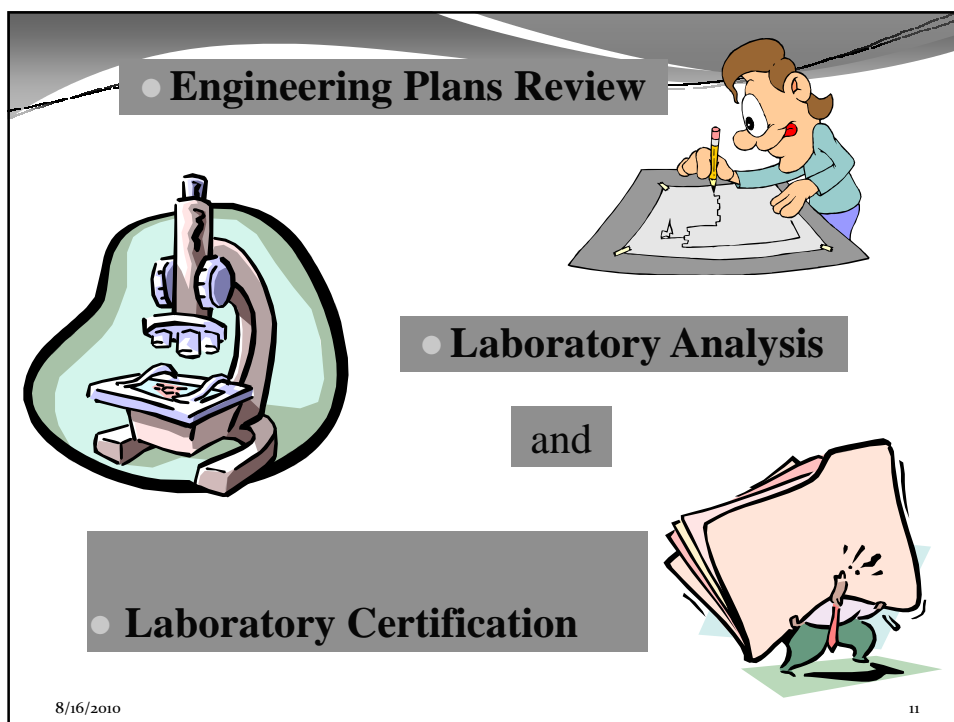
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- **Operator training and certification**



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## WHAT IS AN ADMINISTRATIVE ORDER?

- ❖ IT IS A DOCUMENT-
- ❖ ISSUED BY THE STATE HEALTH OFFICER
- ❖ INSTRUCTING THE WATER SYSTEM TO COMPLY WITH THE VARIOUS RULES AND REGULATIONS.



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## Why?

- Why would I receive an Administrative Order?



## EPA REGION 6 ESCALATION POLICY

### Targeting Criteria for AO Issuance

PWS having a certain number or combination of violations in the last 12 months are currently being targeted to receive an Administrative Order (AO)

#### VIOLATIONS INCLUDE:

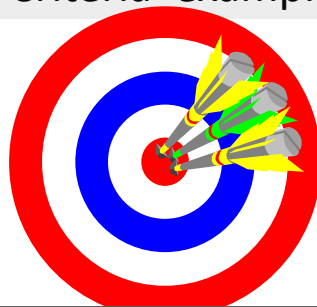
Coliform Violations (Total Coliform Rule)

Surface Water Treatment Rule (SWTR)

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### Targeting Criteria examples Cont'd



Stage 1 Disinfectants/Disinfection Byproducts Rule (DDBPR)

Consumer Confidence Report Rule (CCR)



## Targeting Criteria examples Cont'd

Significant non-complier (SNC's) for lead and copper violations

Operator Certification

Chlorine Residuals

Ground Water Rule (began December 1, 2009)

## MONITORING CYCLES

- MONTHLY (ex. Coliform & chlorine sampling)
- Quarterly (ex. DDBP sampling)
- Yearly (ex. CCR's, DDBP's)

- **SYSTEMS MONITORING YEARLY:**
- Fails to collect and report all required samples

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## TARGETING CRITERIA CHANGING

- GOING TO A POINT SYSTEM
- ELEVEN POINTS
- (FECAL COLIFORM = TEN POINTS)
- LOOK AT SYSTEM'S LAST FIVE YEARS
- COMBINE ALL VIOLATIONS



- PWSs may also be targeted for AO issuance even though they may not fall into one of the classes above; For example, a PWS with numerous physical violations noted in a sanitary survey performed by OPH's district/regional staff.



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- **Emergency AO's** may also be issued when the state health officer deems that use of the water provided to the public by the PWS will cause a serious and imminent danger to public health, i.e., Boil Water Orders.

## Administrative Order Procedures

- Enforcement surveys
- Administrative orders
- Ordered remedial actions
- Compliance deadlines
- Follow-up inspections
- Penalties/civil actions

## ADMINISTRATIVE ORDER (AO)

### INCLUDES SUCH THINGS AS:

#### FINDINGS

PWS, OWNER/OPERATOR, # SERVICE CONNECTIONS, POPULATION SERVED,  
LEGAL RESPONSIBILITIES OF OWNER/OPERATOR OF A PWS

#### VIOLATIONS

MCL, MONITORING VIOLATIONS FROM DATA AUDIT,  
PHYSICAL VIOLATIONS FROM SURVEY

#### ORDER

ORDERED REMEDIAL ACTIONS TO CORRECT THE VIOLATIONS

## (AO con't.)

### **COMPLIANCE**

DEADLINE(S) TO COMPLY WITH THE ORDERED  
REMEDIAL ACTIONS

### **COMPLIANCE EXTENSION**

MAY REQUEST EXTENSION UP TO FIVE (5) DAYS BEFORE  
DEADLINE EXPIRES

### **PLACE TO SUBMIT DOCUMENTS AND REQUESTS**

ADDRESS AND FACSIMILE NUMBER OF THE  
ENFORCEMENT UNIT

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## (AO con't.)

### **NOTICE OF PENALTY FOR VIOLATION OF ORDER**

DAILY PENALTY AMOUNT FOR FAILURE TO COMPLY  
WITH ORDERED ACTIONS

### **REQUEST FOR HEARING**

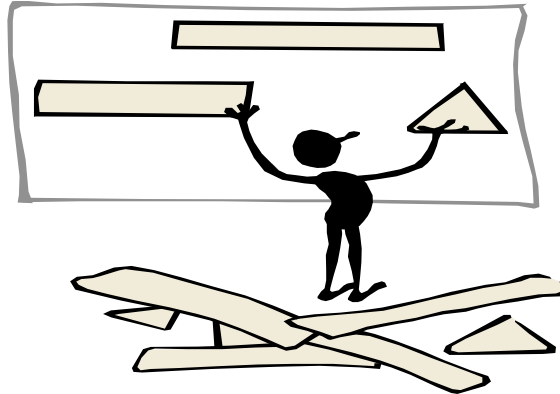
WITHIN TWENTY (20) DAYS FROM DATE OF RECEIPT OF  
THE ADMINISTRATIVE ORDER

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## **GENERAL PROVISIONS (AO con't.)**

STATE HEALTH OFFICER (SHO) MAY MODIFY ORDER,  
EFFECTIVE UNTIL NOTICE OF TERMINATION IS GIVEN  
BY SHO



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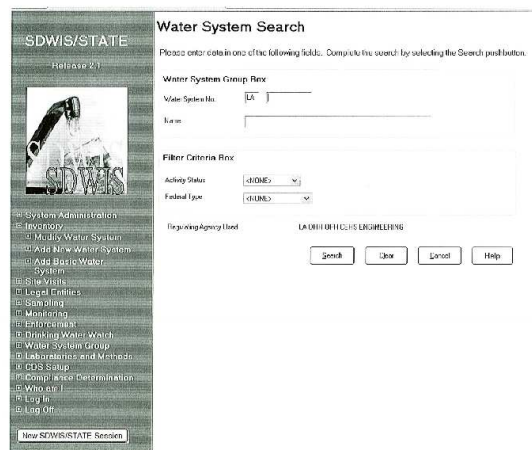
## **PART XII. WATER SUPPLIES LOUISIANA STATE SANITARY CODE (LAC 51:XII)**

THIS IS WHAT WE REFERENCE  
FOR WHEN LISTING VIOLATIONS  
PART XII ALSO REFERENCES  
OTHER DOCUMENTS SUCH AS:  
TEN STATE STANDARDS, CODE  
OF FEDERAL REGULATIONS, ETC.

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## SAFE DRINKING WATER INFORMATION SYSTEM a/k/a SDWIS



**SDWIS/STATE**  
Release 2.1

**Water System Search**  
Please enter data into one of the following fields. Complete the search by selecting the Search post button.

**Water System Group Name**  
Water System No.:

**Filter Criteria Box**  
Active Status:    
Federal Type:

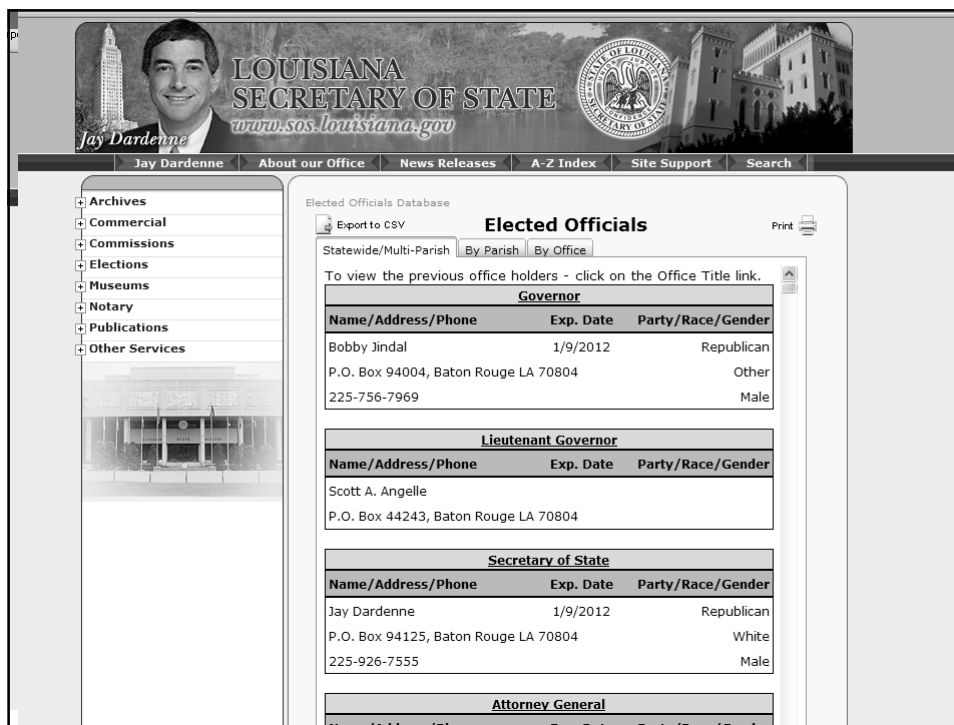
**Filtering Agency Used**

**System Administration**  
Inventory  
Modify Water System  
Add New Water System  
Add Basic Water System  
System  
Site Visits  
Legal Entities  
Sampling  
Monitoring  
Enforcement  
Drinking Water Watch  
Water System Group  
Laboratories and Methods  
GIS Setup  
Compliance Determination  
Who's In  
Log In  
Log Off

## ADDITIONAL INFO

- FOR OWNERS/BOARD MEMBERS – IF YOU ARE REGISTERED WITH SEC OF STATE – WHEN YOU MAKE CHANGES TO DHH/OPH OR ARE NO LONGER THE OWNER/BOARD MEMBER – BE SURE TO ALSO MAKE CHANGES IN THE SEC OF STATE OFFICE





The screenshot shows the official website of the Louisiana Secretary of State, Jay Dardenne. The header includes the state seal and the text "LOUISIANA SECRETARY OF STATE" with the website address "www.sos.louisiana.gov". A navigation bar contains links: "Jay Dardenne", "About our Office", "News Releases", "A-Z Index", "Site Support", and "Search".

On the left is a sidebar menu with the following items: Archives, Commercial, Commissions, Elections, Museums, Notary, Publications, and Other Services. Below the menu is a small image of the Louisiana State Capitol building.

The main content area is titled "Elected Officials Database" and includes an "Export to CSV" button. It has three tabs: "Statewide/Multi-Parish" (selected), "By Parish", and "By Office". A note states: "To view the previous office holders - click on the Office Title link."

The database lists the following officials:

Governor		
Name/Address/Phone	Exp. Date	Party/Race/Gender
Bobby Jindal	1/9/2012	Republican
P.O. Box 94004, Baton Rouge LA 70804		Other
225-756-7969		Male

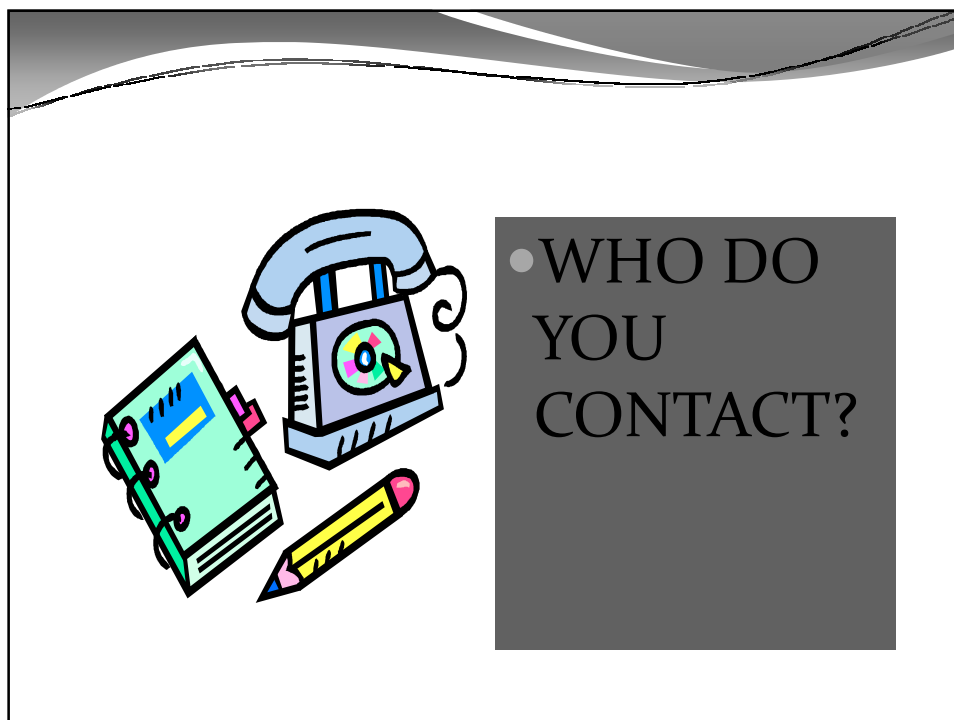
Lieutenant Governor		
Name/Address/Phone	Exp. Date	Party/Race/Gender
Scott A. Angelle		
P.O. Box 44243, Baton Rouge LA 70804		

Secretary of State		
Name/Address/Phone	Exp. Date	Party/Race/Gender
Jay Dardenne	1/9/2012	Republican
P.O. Box 94125, Baton Rouge LA 70804		White
225-926-7555		Male

Attorney General		
Name/Address/Phone	Exp. Date	Party/Race/Gender



A graphic illustration featuring a blue rotary telephone, a green notepad with a yellow pencil, and a yellow pencil. To the right of these items is a dark gray rectangular box containing the text:

• WHO DO YOU CONTACT?



